

Maintenance Responsibilities of the Occupant, Per the State Sanitary Code, 105 CMR 410.000

105 CMR 410.352(B) - *"Every occupant of a dwelling unit shall keep all toilets, washbasins, showers, bathtubs, stoves, refrigerators, and dishwashers in a clean and sanitary condition and exercise reasonable care in the proper use and operation thereof."*

NOTE: These types of fixtures (kitchen sink, stove, bathroom sink, tub, toilet) must be thoroughly cleaned at minimum, once per week, but preferably after continued use or if/when soiled. For example, the stove should be cleaned of any spills after each use. The bathroom should be thoroughly cleaned at least once per week, including floor, walls, and all fixtures, but more often if use dictates additional cleaning or if fixtures (toilet, sink, tub) become soiled.

Accumulated dirt or filth noted in a kitchen and/or bathroom may likely result in a citation of 410.352(B) against the occupant.

105 CMR 410.505 - *"The occupant shall exercise reasonable care in the use of the floor, walls, doors, windows, ceilings, roof, staircases, porches, chimneys and other structural elements of the dwelling."*

And

105 CMR 410.602(B) - *"The occupant of any dwelling unit shall be responsible for maintaining it in a clean and sanitary condition and free of garbage, rubbish, other filth or causes of sickness that part of the dwelling which he exclusively occupies or controls."*

NOTE: "reasonable care" is usually interpreted by code enforcement agents to mean routine maintenance (i.e., scrubbing/vacuuming) and the prevention of any damage (i.e. holes in walls, broken windows, etc.). If normal wear and tear occurs i.e., loose handrail, peeling paint, etc., then the occupant has the obligation to notify the property owner so that appropriate repairs can be made.

The occupant should institute routine cleaning of:

1). Floors: Kitchen/dining areas - daily

Other areas - at least once/week or more often if soiled

2). Walls & Ceilings: Dusted at least every other week, or cleaned as necessary if soiled

3). Built-in fixtures (i.e. kitchen cabinets, closets, doors, windows, etc.): Cleaned when soiled with a heavy-duty cleaning at least twice per year (spring & fall cleaning). Other built-in areas with heavy, daily usage, such as kitchen counters, should be cleaned on a daily/weekly basis, dependent on usage.

4). Removal of Waste & Rubbish: Removal by the occupant, from the dwelling unit on a regular basis usually one-two times/week) to a location (dumpster and/or covered receptacles) designated by the property owner.

Any noted accumulation of dirt, and/or filth upon the structural elements (floors, walls, etc.), and/or accumulation of rubbish and debris within the dwelling unit may likely result in a citation of 410.505 and/or 410.602 (B) against the occupant.